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Notice of Allowability	Application No.	Applicant(s)	
	09/852,051	JIMENEZ ET AL.	
	Examiner	Art Unit	
	Tania C. Courson	2859	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phone conversation on March 17, 2004.
2. ☒ The allowed claim(s) is/are 1-5,7-30,32,34,36,38 and 41.
3. ☒ The drawings filed on 10 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Thomas Hilliard on March 17, 2004. The application has been amended as follows:

2. The following changes have been made to the application in order to clearly describe the invention and to define the claimed invention over the prior art of record:

Claim 1:

- a) "said first scale, and", line 11, has been replaced with -- said first scale, and said supporting surface being substantially flat and positioned directly beneath and along the entire length of said finger-resting surface directly adjacent said upstanding section, and beneath said scale supporting section to permit smooth application of said guiding device on the working surface and an innermost edge of said first scale positioned closest to a free end of said upstanding section, and an outermost edge remote from said innermost edge, and forming a free end of said first scale such that an implement can be moved against said free end of said first scale, wherein the substantially flat supporting surface

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cooperates with the scale supporting section to define a generally V-shaped cross-section, and wherein said guiding device has a solid cross-sectional configuration, and --.

- b) "an implement", line 13, has been replaced with -- said implement --.

Claim 7:

- a) "claim 6," line 1, has been replaced with -- claim 1, --.

Claim 9:

- a) "claim 6," line 1, has been replaced with -- claim 1, --.

Claim 13:

- a) "innermost edge," line 12, has been replaced with -- innermost edge and forming a free end of said first scale such that an implement can be moved against said free end of said first scale, and said supporting surface being substantially flat and positioned directly beneath and along the entire length of said finger-resting surface directly adjacent said upstanding section, and beneath said scale supporting section to permit smooth application of said guiding device on the working surface and an innermost edge of said first scale positioned closest to a free end of said upstanding section, and an outermost edge remote from said innermost edge, wherein the substantially flat supporting surface cooperates with the scale supporting section to define a generally V-shaped cross-section, and wherein said guiding device has a solid cross-sectional configuration, and --

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- b) "an implement", line 18, has been replaced with -- said implement --.

Claim 21:

- a) "said first scale, and", line 10, has been replaced with -- said first scale, and said supporting surface being substantially flat and positioned directly beneath and along the entire length of said finger-resting surface directly adjacent said upstanding section, and beneath said scale supporting section to permit smooth application of said guiding device on the working surface and an innermost edge of said first scale positioned closest to a free end of said upstanding section, and an outermost edge remote from said innermost edge, and forming a free end of said first scale such that an implement can be moved against said free end of said first scale, wherein the substantially flat supporting surface cooperates with the scale supporting section to define a generally V-shaped cross-section, and wherein said guiding device has a solid cross-sectional configuration, and --.
- b) "an implement", line 12, has been replaced with -- said implement --.

- 3. Claims 6, 31, 33, 35, 37 and 39-40 have been cancelled.

Conclusion

- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tania C. Courson whose telephone number is (571) 272-2239. The examiner can normally be reached on Monday-Friday from 8:00AM to 4:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez, can be reached on (571) 272-2245.

The fax number for this Organization where this application or proceeding is assigned is (703) 872-9306.



DIEGO F.F. GUTIERREZ
SUPERVISORY PATENT EXAMINER
GROUP ART UNIT 2859

TCC
March 19, 2004